

FORM PTO-1390 (Modified) (REV 10-95)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 0053 002	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/423683)	
INTERNATIONAL APPLICATION NO. PCT/EP98/02998		INTERNATIONAL FILING DATE 13 May 1998 (13.05.1998)		PRIORITY DATE CLAIMED 13 May 1997 (13.05.1997)	
TITLE OF INVENTION METHOD AND COMPOSITIONS FOR TREATING HYPERLIPIDEMIA AND OTHER CONDITIONS					
APPLICANT(S) FOR DO/EO/US Michael Anthony CAWTHORNE, Yong-Ling LIU, Matthew V. SENNITT					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> has been transmitted by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <input checked="" type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 					
Items 13 to 18 below concern document(s) or information included:					
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A FIRST preliminary amendment. A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail <input type="checkbox"/> Other items or information: 					
<p>"Express Mail" label number: EL445347136US Date of Deposit : <i>10 November 1999</i> I hereby certify that under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</p> <p><i>R. Tawenbaum</i></p>					

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492 (a) (1) - (5)) :	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
09/42368	PCT/EP98/02998	00537/163002

20. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☒ Search Report has been prepared by the EPO or JPO \$840.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00
- ☐ No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00
- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	44 - 20 =	24	x \$22.00
Independent claims	6 - 3 =	3	x \$82.00

\$528.00

\$246.00

Multiple Dependent Claims (check if applicable).

☒

\$260.00

TOTAL OF ABOVE CALCULATIONS =

\$1,874.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

☐

\$0.00

SUBTOTAL =

\$1,874.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

+

\$0.00

TOTAL NATIONAL FEE =

\$1,874.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

☐

\$0.00

TOTAL FEES ENCLOSED =

\$1,874.00

Amount to be:

refunded

\$

charged

\$

☒ A check in the amount of **\$1,874.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **06-1050** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Y. Rocky Tsao
Fish & Richardson PC
225 Franklin Street
Boston, Massachusetts 02110

SIGNATURE

Y. Rocky Tsao

NAME

34,053

REGISTRATION NUMBER

DATE

PATENT

ATTORNEY DOCKET NO.

00531/163002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :
Serial No.:
Filed :
For :

BOX PCT

Assistant Commissioner for Patents
-Washington, DC 20231

DECLARATION OF MAILING BY "EXPRESS MAIL"

_____ declares as follows:

1. I reside at _____ and
am an employee of Fish & Richardson P.C., 225 Franklin Street
Boston, MA 02110-2804.

2. On _____, I deposited in the mail, "Express
Mail Post Office to Addressee" service of the United States
Postal Service the contents of the envelope for which "Express
Mail" receipt No. _____ was issued addressed to: Box PCT,
Assistant Commissioner for Patents, Washington, DC 20231.

3. Attached hereto is a true copy of the "Express
Mail" receipt No. _____.

I hereby declare that all statements made herein of my
own knowledge are true and that all statements made on
information and belief are believed to be true; and further that
these statements were made with the knowledge that willful false
statements and the like so made are punishable by fine or
imprisonment, or both, under Section 1001 of Title 18 of the
United States Code and that such willful false statements may
jeopardize the validity of the above-identified application or
any patents issued thereon.

Date: _____

EL445347136US